

COMBINED PUBLIC NOTICE

NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS AND FINAL NOTICE AND PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN A 100-YEAR FLOODPLAIN AND WETLAND

OCEAN COUNTY

November 4, 2016

New Jersey Department of Community Affairs
101 South Broad Street
PO Box 800
Trenton, NJ 08625-0800

This Notice is related to Federal assistance provided in response to the Presidentially-declared disaster, Superstorm Sandy. This notice shall satisfy two separate but related procedural requirements for activities to be undertaken by the New Jersey Department of Community Affairs (DCA).

REQUEST FOR RELEASE OF FUNDS

On or about November 15, 2016 the DCA will submit a request to HUD for the release of Federal funds under the Community Development Block Grant Program (CDBG) pursuant to the Disaster Relief Appropriations Act of 2013 (Public Law 113-2, approved January 29, 2013) for the Stronger New Jersey Neighborhood and Community Revitalization (NCR) program. DCA expects to fund the project using approximately \$1,397,220.00 of NCR funds.

PROJECT DESCRIPTION

Application ID number: NCR40022R

Project Title: This project consists of repairs and improvements made to the South Green Street Park in Tuckerton, New Jersey

Location: 1300 South Green Street Park, Tuckerton, New Jersey

The total estimated project cost is \$1,481,900.00.

Project Description: The principal resiliency components of this project include new mobile public restrooms (including one male, one female, and one handicap accessible restroom) to replace the former permanent restrooms that were destroyed by the storm, a new vinyl non-polluting bulkhead to reinforce and harden the waterfront of the park, and the installation of a new fishing pier off the southern end of the park/bulkhead.

The Responsible Entity, DCA, has determined that the proposed project is Categorically Excluded Subject to §58.5 authorities per 24 CFR 58.35(a). As such, a Statutory Checklist has been completed in order to determine whether the project is in compliance with the authorities cited at 24 CFR§58.5.

Additional project information is contained in the Environmental Review Record on file at the New Jersey Department of Community Affairs, Sandy Recovery Division, 101 South Broad Street, Trenton, NJ 08625-0800. The record is available for review and may be examined or copied weekdays 9 A.M. to 5 P.M. or can be viewed online at <http://www.nj.gov/dca/divisions/sandyrecovery/review/>.

FINAL NOTICE AND PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN A 100-YEAR FLOODPLAIN AND WETLAND

This is to give notice that the DCA has conducted an evaluation as required by Executive Orders 11988 and 11990, in accordance with HUD regulations at 24 CFR 55.20 Subpart C, Procedures for Making Determinations on Floodplain Management and Wetlands Protection. The activity is funded with Community Development Block Grant Disaster Recovery (CDBG-DR) funds under HUD grant number B-13-DS-34-0001.

The proposed project is located at 1300 South Green Street, Ocean County, Tuckerton, New Jersey. Project activities at the subject location were originally proposed under Application NCR40022, which underwent environmental review in 2014. Following modifications to the proposed action, it is now the subject of this supplemental environmental review.

The subject property consists of a municipal park of approximately 1.09 acres, which provides shoreline access, parking, and limited recreational facilities. The principal resiliency components of this project include new mobile public restrooms (including one male, one female, and one handicap accessible restroom) to replace the former permanent restrooms that were destroyed by the storm, a new vinyl non-polluting bulkhead to reinforce and harden the waterfront of the park, and the installation of a new fishing pier off the southern end of the park/bulkhead. Other new and improved public amenities that are proposed as part of the project are as follows: 1) repairs to the existing wooden guard rail in front of the pedestrian walkway and installation of a new eight-foot-long pressure-treated wooden park bench along the bulkhead, 2) a new replacement four-foot-high split rail fence, 3) repairs to the roof of the community gazebo with new paper and asphalt roof shingles, 4) a new six-foot-long pressure-treated wooden picnic table in the gazebo and picnic areas to replace benches damaged repair during the storm, 5) new clamshell mulch around the site as needed to replace the mulch washed away by the storm, 6) a new replacement bike rack and bike paths with new asphalt pavement surface course, 7) a new replacement 5-foot by 3-foot by 4-foot polyurethane storage shed, 8) refurbishment of the playground area including new playground equipment, 9) new 30-gallon concrete garbage cans along the bulkhead, playground, gazebo, and picnic areas to replace those destroyed, 10) improvements to the parking area including new parking lot stripes, free standing light pole, and 12-inch by 18-inch reflective aluminum parking and traffic signs to repair the signs damaged by the storm, and 11) relocation of electric, water and sewer connections to the new location of the mobile restrooms and construction of a new concrete pad. The project will incorporate recycled materials into the playground equipment and the new garbage system will feature an improved recycling program.

Most of project would be constructed within the Special Flood Hazard Area Zone "AE", area of special flood hazard with water surface elevations determined, and small portions of the project would be within Special Flood Hazard Area Zone "VE", coastal high hazard floodplain, as

shown on the Federal Emergency Management Agency (FEMA) Preliminary Flood Insurance Rate Maps (FIRMs) Panel 579 of 611, Map Number 34029C0579F, revised September 29, 2006. A total of approximately 1.09 acres in Zone AE would be affected.

No coastal or freshwater wetlands are present on or adjacent to the proposed project site; however, the project activities were determined to be located within waters of the US and located either at or below the mean high water line. Consultation with the U.S. Army Corps of Engineers (USACE), Philadelphia District, was required to determine whether a federal permit would be required for said project activities. A preliminary determination by the USACE stated that based on information provided concerning the project activity, a Department of the Army permit will be required for the replacement of the existing bulkhead and installation of a new fishing pier because regulated work will take place below the mean high water line.

DCA has considered the following alternatives and mitigation measures to be taken to minimize adverse impacts and to restore and preserve natural and beneficial values. Among the alternatives were: (i) relocating the Proposed Action outside of the 100-year floodplain and wetlands and (ii) not undertaking the project at all (No Action).

Work outside the current park area would not reduce or potentially eliminate flooding issues, as the entire coastline of the Tuckerton neighborhood is in a flood zone. Therefore, relocating the proposed project to another available nearby area would not necessarily avoid floodplain effects and would not assist in the revitalization of the South Green Street Park and waterfront area in Tuckerton Borough. Furthermore, the addition of a new fishing pier and replacement of the existing bulkhead is located within wetlands as the work would take place below the mean high water line. Working outside of the current park area and relocating the bulkhead and fishing pier elsewhere would not remove the work from being located below the mean high water line. If the bulkhead was entirely removed and no new fishing pier installed, then the proposed action would not assist in the revitalization of the South Green Street Park and waterfront area in Tuckerton Borough.

A no action alternative was considered and rejected because the revitalization of the South Green Street Park would have a substantial impact on the quality of life of the Tuckerton Beach neighborhood, as well as the entire community of Tuckerton. The park provides access to the waterfront for Tuckerton residents as well as visitors to Tuckerton Beach. This alternative would also leave the park vulnerable to future storm events, as storm resilient measures would not be implemented.

DCA has determined that the proposed action would result in no substantive change from the pre-Superstorm Sandy condition of the floodplain. The rehabilitation and resiliency measures would help to reduce or eliminate flooding. The project would not increase impervious coverage or floodplain development within the South Green Street Park area, nor would rehabilitation of the park change the park elevation; the footprint of the park would minimally be changed by the addition of a fishing pier. In addition, installing mobile public restrooms and replacing the current treated wood bulkhead with a new vinyl non-polluting bulkhead would have the added benefit of improved water quality. Project activities would not disturb the adjacent wetlands in the area; the replacement of the bulkhead and the installation of a new fishing pier would take

place below the mean high water line. The proposed action would not alter the survival and quality of the wetlands.

DCA has reevaluated the alternatives to building in the floodplain and wetland and has determined that it has no practicable alternative. Environmental files that document compliance with steps 3 through 6 of Executive Orders 11988 and 11990, are available for public inspection, review and copying upon request at the times and location described in the Public Comments section of this notice.

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains and wetlands and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Second, an adequate public notice program can be an important public educational tool. The dissemination of information and request for public comment about floodplains and wetlands can facilitate and enhance Federal efforts to reduce the risks and impacts associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in floodplains and wetlands, it must inform those who may be put at greater or continued risk.

PUBLIC COMMENTS

Any individual, group, or agency disagreeing with this determination or wishing to comment on the project may submit written comments to Laura Shea, Assistant Commissioner, New Jersey Department of Community Affairs, 101 South Broad Street, PO Box 800, Trenton, NJ 08625-0800 or online at <http://www.nj.gov/dca/divisions/sandyrecovery/review/> and to Tennille Smith Parker, DRS, Acting Division Director, HUD, 451 Seventh Street SW, Washington, D.C. 20410. All comments received by November 14, 2016, or seven (7) days from the actual date of publication, whichever is later, will be considered by DCA. Comments should specify which Notice they are addressing.

ENVIRONMENTAL CERTIFICATION

DCA certifies to HUD that Charles A. Richman, in his capacity as Commissioner of DCA consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's approval of the certification satisfies its responsibilities under the National Environmental Policy Act and related laws and authorities, and allows DCA to use CDBG-DR funds.

OBJECTIONS TO RELEASE OF FUNDS

HUD will accept objections to its release of funds and DCA's certification for a period of seven (7) days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of DCA; (b) DCA has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58; (c) the grant recipient has committed

funds or incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; or (d) another Federal agency, acting pursuant to 40 CFR Part 1504, has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58.76) and shall be addressed to Tennille Smith Parker, DRS, Acting Division Director, HUD, 451 Seventh Street SW, Washington, D.C. 20410. Potential objectors should contact HUD to verify the actual last day of the objection period.

Commissioner Charles A. Richman
New Jersey Department of Community Affairs